



Air Resources Board



Mathew Rodriguez
Secretary for
Environmental Protection

Mary D. Nichols, Chairman
1001 I Street • P.O. Box 2815
Sacramento, California 95812 • www.arb.ca.gov

Edmund G. Brown Jr.
Governor

June 17, 2014

Mr. Jared Blumenfeld
Regional Administrator
U.S. Environmental Protection Agency
Region 9
75 Hawthorne Street
San Francisco, California 94105

Dear Mr. Blumenfeld:

In response to the U.S. Environmental Protection Agency (U.S. EPA) initiative to speed action on revisions to the California State Implementation Plan (SIP), staff from U.S. EPA, the Air Resources Board (ARB), and the South Coast Air Quality Management District (District) have been working to prioritize items for U.S. EPA action and identify submittals no longer appropriate for inclusion in the SIP.

The District has determined that a number of their local rules no longer need to be included in the SIP. These rules are listed on the enclosed Table 1. On June 6, 2014, the District requested withdrawal of these rules from the California SIP (copy enclosed). As the agency designated under California law to make revisions to the California SIP, ARB now formally withdraws the District rules listed in Table 1 from the SIP.

If you have any questions, please have your staff contact Mr. Kurt Karperos, Chief, Air Quality Planning and Science Division at (916) 322-5350, or via email at kkarpero@arb.ca.gov.

Sincerely,


Richard W. Corey
Executive Officer

Enclosures

cc: See next page.

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our website: <http://www.arb.ca.gov>.

California Environmental Protection Agency

Mr. Jared Blumenfeld
June 17, 2014
Page 2

cc: Dr. Barry Wallerstein
Executive Officer
South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, California 91765

Mr. Andrew Steckel, Chief
Rulemaking Office
U.S. Environmental Protection Agency
Region 9
75 Hawthorne Street
San Francisco, California 94105

Mr. Kurt Karperos, Chief
Air Quality Planning and Science Division

Table 1**South Coast Air Quality Management District Rules to Withdraw from SIP**

Air District	Rule	Submittal Date	Description
South Coast	Hyperion Wastewater Treatment Plant	5/1/85	Contingency Measures
South Coast	110	2/7/89	Rule adoption procedures
South Coast	505	10/25/91	Lack of Permit
South Coast	506	2/7/89	Failure to Comply with Rules
South Coast	512.01	2/7/89	Prehearing Conference
South Coast	515	5/13/91	Findings and Decision
South Coast	517	2/7/89	Emergency Variance Procedures
South Coast	518	2/28/94	Variance Procedures for Title V
South Coast	1502	4/5/91	District Delegation to Local Governments
South Coast	1504	7/13/94	Cash-out Program for Non-owned Employee Parking
South Coast	1505	2/7/89	Exemptions
South Coast	1701	2/7/89	PSD General
South Coast	1702	2/7/89	PSD Definitions
South Coast	1704	2/7/89	Exemptions
South Coast	1706	2/7/89	Emission Calculations
South Coast	1710	2/7/89	Analysis, Notice and Reporting
South Coast	1713	2/7/89	Source Obligation
South Coast	2100	9/8/97	Registration of Portable Equipment



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

*Office of the Executive Officer
Barry R. Wallerstein, D. Env.
909.396.2100, fax 909.396.3340*

June 6, 2014

Ms. Deborah Jordan
Director
Air Division
U.S. Environmental Protection Agency – Region IX
75 Hawthorne Street
San Francisco, CA 94105

Re: Proposed Withdrawal of State Implementation Plan Submittals for Select Rules
and Regulations

Dear Ms. Jordan:

Attached please find the South Coast Air Quality Management District's Governing Board adoption Resolution 14-12 and the Board-approved letter dated June 6, 2014 requesting the withdrawal of previously submitted rules and regulations that no longer require U.S. EPA SIP approval under the Clean Air Act.

If you have any questions regarding this request, please feel free to contact me at (909) 396-2100 or Elaine Chang at (909) 396-3186.

Sincerely,

A handwritten signature in black ink that reads "Barry R. Wallerstein".

Barry R. Wallerstein, D. Env.
Executive Officer

BW:EC:ft

Attachments

cc: Lynn Terry, California Air Resources Board
Elaine Chang, South Coast Air Quality Management District



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

BOARD MEETING DATE: June 6, 2014

AGENDA NO. 29

PROPOSAL: Proposed Withdrawal of SIP Submittals for Select Rules and Regulations

SYNOPSIS: The SCAQMD staff has previously submitted permits, plans, rules, and regulations, or amendments thereto, to U.S. EPA for State Implementation Plan (SIP) approval. Staff and U.S. EPA have developed a list of previously submitted rules and regulations that no longer require U.S. EPA SIP approval under the Clean Air Act and are proposed for withdrawal from U.S. EPA consideration. This action is to withdraw the agreed-upon list of previously submitted rules and regulations for SIP approval.

COMMITTEE: Stationary Source, May 16, 2014, Reviewed

RECOMMENDED ACTIONS:

Adopt the attached resolution to withdraw SIP submittals for select rules and regulations.

APPROVED by the South Coast Air Quality Management District Board	
Date:	6-6-14
BB EC:PMK	<i>Shirley McDermott</i> Clerk of the Board

Barry R. Wallerstein, D.Env.
Executive Officer

Background

In an effort to streamline a large backlog in reviewing State Implementation Plan (SIP) submittals, U.S. EPA is seeking to have a number of proposed rules and regulations previously submitted into the SIP to be withdrawn because they are either no longer needed or outdated. For example, in some cases, a newer rule provision makes the rule or regulation no longer needed or appropriate in the SIP.

SCAQMD staff has worked with U.S. EPA to develop an agreed-upon list of previously submitted rules and regulations for SIP approval that can be withdrawn at this time, since they are not needed under the Clean Air Act. A complete list of those rules and

regulations, along with the date submitted into the SIP, and reasons that the rule or regulation is no longer needed or necessary is provided in Attachment A of this Board letter.

Proposal

SCAQMD staff is proposing to withdraw a set of SIP submittals, shown in Attachment A of this Board letter, from U.S. EPA consideration in an effort to reduce U.S. EPA's SIP backlog and to expedite actions on other more critical SIP submittals. These submittals have not been approved by the U.S. EPA.

Air Quality Management Plan (AQMP) and Legal Mandates

None of the rules are necessary to implement the SIP or AQMP. The rules and regulations proposed to be withdrawn will still be in effect locally, where applicable, e.g., Regulation V, but will not be federally enforceable.

CEQA

SCAQMD staff concludes that the withdrawal is not a "project" within the meaning of CEQA because the withdrawal does not have the potential to result in either a direct physical change to the environment, or a reasonably foreseeable indirect physical change to the environment pursuant to CEQA Guidelines §15378(a). as rules currently in effect locally will remain in effect.

Socioeconomic Analysis

No socioeconomic impact assessment is required because the proposed amendments do not "significantly affect air quality or emissions limitations." (Health & Safety Code Section 40440.8(a)).

Resource Impacts

The action would be implemented using existing staff resources and is not expected to impose any significant burden.

Attachments

- A. SIP Submittals that SCAQMD Recommends for Withdrawal
- B. Resolution

ATTACHMENT A

SIP SUBMITTALS THAT SCAQMD RECOMMENDS FOR WITHDRAWAL

Rule Number	Submittal	Rule Title	Comments
Hyperion Wastewater Treatment Plan	5/01/85	Contingency Measures	EPA advised on 5/28 not needed for SIP
South Coast 110	2/7/89	Rule adoption procedures	Not needed in SIP – CEQA for Rules
South Coast 505	10/25/91	Lack of Permit	Hearing Board provision not needed in SIP
South Coast 506	2/7/89	Failure to Comply with Rules	Hearing Board provision not appropriate for SIP
South Coast 512.01	2/7/89	Prehearing Conference	Hearing Board provision not needed in SIP
South Coast 515	5/13/91	Findings and Decision	Hearing Board provision not needed in SIP
South Coast 517	2/7/89	Emergency Variance Procedures	Hearing Board provision not appropriate for SIP
South Coast 518	2/28/94	Variance Procedures for Title V*	Variance rules not appropriate for SIP
South Coast 1502	4/5/91	District Delegation to Local Governments	The parameters for delegation to local governments were incorporated into Rule 2202; this rule referred to Rule 1501, repealed in 1995.
South Coast 1504	7/13/94	Cash-out Program for Non-owned Employee Parking	A CO attainment contingency measure; EPA approved the 1996 CO maintenance plan without Rule 1504 and redesignated ten areas (including SC) to attainment effective 6/1/98 (63 FR 15305), so will never be triggered.
South Coast 1505	2/7/89	Exemptions	Renumbered (5/17/90) and rescinded (2/12/93), but the parameters for delegation to local governments were incorporated into Rule 2202.
South Coast 1701	2/7/89	PSD general	Current form un-approvable
South Coast 1702	2/7/89	PSD definitions	Current form un-approvable
South Coast 1704	2/7/89	Exemptions	Current form un-approvable
South Coast 1706	2/7/89	Emission calculations	Current form un-approvable
South Coast 1710	2/7/89	Analysis, notice and reporting	Current form un-approvable
South Coast 1713	2/7/89	Source obligation	Current form un-approvable
South Coast 2100	9/8/97	Registration of Portable Equipment	Obsolete per 2100(a)

* Replaced by Rule 518.2, Federal Alternative Operating Conditions (for Title V Facilities) which has been approved by EPA.

ATTACHMENT B

RESOLUTION 14-12

A Resolution of the South Coast Air Quality Management District Governing Board (SCAQMD) certifying that the Proposed Withdrawal of State Implementation Plan (SIP) Submittals for Select Rules and Regulations is not subject to the California Environmental Quality Act (CEQA).

A Resolution of the SCAQMD Governing Board approving the withdrawal of select rules and regulations from a set of SIP submittals.

WHEREAS, the U.S. EPA is seeking to streamline a large backlog in reviewing SIP submittals and to expedite actions on other more critical SIP submittals; and

WHEREAS, the U.S. EPA is seeking to have a number of proposed rules and regulations previously submitted into the SIP to be withdrawn because they are either no longer needed or outdated; and

WHEREAS, the SCAQMD staff has worked with U.S. EPA to develop an agreed-upon list (see Exhibit 1) of previously submitted rules and regulations for SIP approval that can be withdrawn at this time, since they are not needed under the Clean Air Act; and

WHEREAS, the SCAQMD Governing Board has determined that a need exists to approve the withdrawal of select rules and regulations from a set of SIP submittals; and

WHEREAS, the SCAQMD staff concludes that the withdrawal is not a "project" within the meaning of CEQA because the withdrawal does not have the potential in resulting in either a direct physical change to the environment, or a reasonably foreseeable indirect physical change to the environment pursuant to CEQA Guidelines §15378(a); and

WHEREAS, the SCAQMD Governing Board has determined that no socioeconomic impact will result from the withdrawal of select rules and regulations from a set of SIP submittals; and

WHEREAS, a public hearing has been properly noticed by providing a 30-day notice in the newspapers in accordance with all U.S. EPA regulation applicable to revising the SIP; and

WHEREAS, the SCAQMD Governing Board has held a public hearing in accordance with all provisions of law; and

WHEREAS, the SCAQMD specifies the manager of the withdrawal of select rules and regulations from a set of SIP submittals as the custodian of the documents or other materials which constitute the record of proceedings upon which the approval is based, which are located at the South Coast Air Quality Management District, 21865 Copley Drive, Diamond Bar, California;

NOW, THEREFORE, BE IT RESOLVED, that the South Coast Air Quality Management District Board does hereby determine that the withdrawal of select SIP submittals for the rules and regulations listed in attached Exhibit 1 is not subject to CEQA.

BE IT FURTHER RESOLVED, that the SCAQMD Governing Board does hereby approve, pursuant to the authority granted by law, approving the withdrawal of select rules and regulations from a set of SIP submittals, as set forth in the attached Exhibit 1, and incorporated herein by this reference.

BE IT FURTHER RESOLVED, that the Executive Officer is hereby directed to forward a copy of this Resolution and Exhibit 1, the SIP submittals for select rules and regulations recommended for withdrawal, to the California Air Resources Board for approval and subsequent submittal to the U.S. Environmental Protection Agency.

Attachment: Exhibit 1

AYES: Antonovich, B.Benoit, J.Benoit, Burke, Buscaino, Cacciotti, Gonzales, Lyou, Mitchell, Nelson, Parker, Pulido, and Yates.

NOES: None.

ABSENT: None.

DATE: June 6, 2014


CLERK OF THE BOARD

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